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TAGS: PARM, CCD, JA, UR

SUBJECT:CCD: COMMENTS ON JAPANESE DRAFT CW CONVENTION

REF: (A) GENEVA 2490; (B) STATE 100008 NOTAL

1. WHILE US HAS COMMENTED AT SOME LENGTH ON THE TWO EXIST-
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ING SOVIET PROPOSALS FOR A CW TREATY (THE MORE RECENT ONE
OF COURSE PRIVATELY), WE HAVE NOT PROVIDED ANY SUBSTANTIVE
REACTION TO THE JAPANESE TREATY PROPOSAL PRESENTED AT THE
CCD IN APRIL 1974. THE JAPANESE CCD REP HAS SHOWN

PARTICULAR SENSITIVITY (REFTEL) REGARDING THE 1974 SUMMIT STATEMENT ON A POSSIBLE US-SOVIET JOINT INITIATIVE, FEELING THAT THE ATTENTION AFFORDED THE STATEMENT AND SUBSEQUENT BILATERAL EXPLORATIONS HAVE OVERSHADOWED HIS DELEGATION'S DRAFT CONVENTION AND (PERHAPS BY DESIGN) STALLED ITS SERIOUS CONSIDERATION BY THE CCD.

2. IN GENERAL, WE CONSIDER THE APPROACH EMBODIED IN THE JAPANESE DRAFT CONVENTION MORE CONSTRUCTIVE THAN THAT ADVANCED IN EITHER SOVIET PROPOSAL. CONSONANT WITH DECLARED US POLICY, THE JAPANESE DRAFT EXPLICITLY TIES THE SCOPE OF THE PROHIBITION TO POSSIBILITIES FOR VERIFICATION, WHILE IN THE SOVIET PROPOSALS THESE TWO ASPECTS ARE COMPLETELY DIVORCED FROM EACH OTHER.

3. ALTHOUGH THE USG HAS NOT YET TAKEN DECISION ON WHETHER OR NOT TO SUPPORT THE JAPANESE DRAFT, IT SEEMS DESIRABLE TO PROVIDE SOME INTERIM COMMENTS AND QUESTIONS COMPARABLE IN SCOPE TO THOSE PROVIDED SOVIETS REGARDING THEIR AUGUST 1974 DRAFT (REF B). ACCORDINGLY, AT EARLY OPPORTUNITY US REP SHOULD PRIVATELY CONVEY FOLLOWING TO JAPANESE CCD REP, STATING THAT WHILE INTERNAL USG REVIEW OF CHEMICAL ARMS CONTROL ISSUES IS STILL UNDERWAY, WE HAVE GIVEN JAPANESE DRAFT CONVENTION CAREFUL STUDY AND WISH TO CONVEY THE PRELIMINARY COMMENTS AND QUESTIONS WHICH FOLLOW:

(A) THE UNITED STATES REMAINS FIRMLY COMMITTED TO ACHIEVING EFFECTIVE RESTRAINTS ON CHEMICAL WEAPONS AND DESIRES TO CONTINUE TO EXPLORE POSSIBILITIES FOR SUCH RESTRAINTS WITH JAPAN AND OTHER INTERESTED COUNTRIES.

(B) IN OUR VIEW THE JAPANESE INITIATIVE OF APRIL 1974 REFLECTS A CONSTRUCTIVE ATTEMPT TO ACCOMMODATE MANY OF THE DIVERSE VIEWS ON CHEMICAL WEAPONS EXPRESSED BY CCD MEMBERS. THE THOUGHTFUL TREATMENT OF A NUMBER OF KEY ISSUES IN THE DRAFT CONVENTION SHOULD MAKE A SIGNIFICANT CONFIDENTIAL

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CONTRIBUTION TO THE COMMITTEE'S EFFORTS TO FIND A BROADLY ACCEPTABLE APPROACH ON CW LIMITATIONS. IN PARTICULAR, IT SEEMS TO US THAT A PHASED APPROACH, SUCH AS THE ONE EMBODIED IN THE JAPANESE DRAFT, MAY WELL BE THE MOST REALISTIC ALTERNATIVE; WE NOTE THAT THIS VIEW HAS WON INCREASING ACCEPTANCE AT THE CCD.

(C) A KEY CONSIDERATION IN ESTABLISHING THE EXTENT OF AN INITIAL PROHIBITION IS THE NATURE OF AGENTS PRESENT IN NATIONAL ARSENALS. PROPOSALS HAVE BEEN MADE TO DEAL INITIALLY ONLY WITH SUPERTOXIC AGENTS. OTHER PROPOSALS ENVISION COVERAGE OF ALL LETHAL AGENTS. THERE ARE IMPORTANT ARGUMENTS IN FAVOR OF EACH OF THESE APPROACHES.

(D) ON BALANCE, HOWEVER, WE BELIEVE THAT AN INITIAL PROHIBITION SHOULD DEAL WITH ALL LETHAL AGENTS. RESTRICTING COVERAGE TO SUPERTOXIC LETHAL AGENTS WOULD CONSTRAIN COUNTRIES WHICH POSSESS ONLY NERVE AGENTS AND MUSTARD GAS TO A MUCH GREATER EXTENT THAN COUNTRIES WHICH ALSO POSSESS LETHAL AGENTS LESS TOXIC THAN MUSTARD GAS, SUCH AS HYDROGEN CYANIDE. FURTHERMORE, A NUMBER OF SMALLER COUNTRIES HAVE EXPRESSED THE BELIEF THAT BECAUSE OF THE CONDITIONS IN THEIR REGIONS THE LESS TOXIC AGENTS REPRESENT A GREATER THREAT TO THEM THAN DO SUPERTOXIC AGENTS.

(E) AS WE HAVE STATED PREVIOUSLY, WE THINK A TOXICITY CRITERION FOR PROHIBITED AGENTS MIGHT BE USEFUL AS A SUPPLEMENT TO A GENERAL PURPOSE CRITERION. THE INFORMATION PRESENTED BY THE JAPANESE DELEGATION HAS HELPED SUBSTANTIALLY IN ESTABLISHING A FIRM TECHNICAL FOUNDATION FOR DISCUSSIONS IN THIS AREA.

(F) ANY TREATY APPROACH TO CHEMICAL WEAPONS RESTRAINTS MUST PROVIDE SATISFACTORY ASSURANCE TO A STATE THAT IT WOULD NOT INCREASE THE RISK TO ITS NATIONAL SECURITY BY BECOMING A PARTY. THEREFORE, ANY SUCH APPROACH MUST INCLUDE EFFECTIVE VERIFICATION PROVISIONS. STARTING FROM THIS PREMISE, WE NOTE THAT VERIFICATION PRESENTS ESPECIALLY DIFFICULT PROBLEMS IN SEVERAL POSSIBLE AREAS OF CW ARMS CONTROL, FOR INSTANCE ELIMINATION OF ALL CHEMICAL WEAPON CONFIDENTIAL

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STOCKS. WE CONSIDER IT EXTREMELY UNLIKELY THAT ANY COUNTRY WOULD REDUCE AN OVERALL CW CAPACITY WHICH IT BELIEVED ENHANCED ITS NATIONAL SECURITY WITHOUT ASSURANCE THAT OTHER STATES POSSESSING CHEMICAL ARSENALS WERE DOING LIKEWISE.

(G) WE HAVE STUDIED WITH PARTICULAR INTEREST THE PROVISIONS OF THE JAPANESE DRAFT TREATY DEALING WITH VERIFICATION. THE SPECIFIC FEATURES OF THE PROPOSED VERIFICATION SYSTEM NATURALLY RAISE QUESTIONS WHICH MUST BE EXPLORED FURTHER. WE CAN SAY, HOWEVER, THAT WE CONSIDER THE INCORPORATION OF PROVISIONS FOR INDEPENDENT AND INTERNATIONAL VERIFICATION ACTIVITIES TO BE A MAJOR IMPROVEMENT OVER OTHER PROPOSALS.

(H) THE JAPANESE DRAFT SPECIFIES IN ARTICLE II THAT EACH STATE PARTY SHALL DESTROY (OR DIVERT TO PEACEFUL PURPOSES) ALL PROHIBITED CW AGENTS, WEAPONS, EQUIPMENT AND MEANS OF DELIVERY WHICH IT POSSESSES. THE DRAFT FURTHER PROVIDES FOR INTERNATIONAL OBSERVATION OF THE DESTRUCTION PROCESSES. IN OUR VIEW THIS PROVISION DESERVES SERIOUS CONSIDERATION. WE WOULD BE INTERESTED

IN JAPANESE THINKING ABOUT THE SCHEDULE FOR IMPLEMENTATION OF THE DESTRUCTION PROVISION AND ABOUT THE ACTIVITIES TO BE UNDERTAKEN BY THE INTERNATIONAL OBSERVERS. IN THIS CONNECTION WE ALSO WOULD WELCOME ANY PRELIMINARY VIEWS WHICH THE JAPANESE DELEGATION MIGHT BE ABLE TO PROVIDE CONCERNING THE COMPOSITION AND FUNCTIONS OF THE PROPOSED INTERNATIONAL VERIFICATION AGENCY (IVA), AS WELL AS THE TYPE OF INFORMATION THAT PARTIES MIGHT SUBMIT TO THE IVA.

4. IN MAKING ABOVE PRESENTATION, US REP SHOULD EMPHASIZE THAT WHILE WE WOULD BE KEENLY INTERESTED IN ANY RESPONSE GOJ MAY CARE TO MAKE TO OUR COMMENTS AND QUESTIONS, THIS DOES NOT NECESSARILY MEAN WE WOULD BE READY FOR EARLY MOVE INTO NEGOTIATIONS ON CW TREATY. MAW

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